

Chapter 21**PLANNING BOARD**

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[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 8-2-65 by resolution. Amendments noted where applicable.]

GENERAL REFERENCES

Subdivision of Land - See Ch. 111. Zoning - See Ch. 134.

§ 21-1. Board created; membership; terms. [Amended 2-28-79 by resolution]

Pursuant to the provisions of § 179-f of the Village Law of the State of New York,¹ a Planning Board of five (5) members shall be appointed for the Village of Cold Spring, Putnam County, New York. The members first appointed shall serve terms of one (1), two (2), three (3), four (4) and five (5) years as designated (all terms to commence as of the date of this chapter). The members of the Review Board thereafter shall be appointed by the Mayor and Board of Trustees for five-year terms. The term of each member first taking office shall commence on the date of his or her appointment. Each member shall serve until the appointment and qualification of his or her successor. In the event a vacancy occurs during the term of a member of the Review Board, the Mayor shall make an interim appointment to complete the unexpired term of such member.

§ 21-2. Chairperson of Board. [Amended 2-28-79 by resolution]

The Village Board of the Village of Cold Spring reserves the right to appoint the Chairperson of said Board, and the Chairperson so designated is hereby appointed for the term of one (1) year from the date hereof, and the Village Board of the Village of Cold Spring shall appoint annually hereafter the Chairperson of said Planning Board, but unless and until such subsequent Planning Board Chairperson has been appointed by the

¹ Editor's Note: Former § 179-f of the Village Law is now § 7-718.

Village Board of the Village of Cold Spring, the Planning Board may nominate and elect from its own members an Acting Chairperson, who shall act until such official appointment is made by the Village Board of the Village of Cold Spring.

§ 21-3. Approval of plats and maps.

Pursuant to the provisions of § 179-k of the Village Law of the State of New York,² the said Planning Board of the Village of Cold Spring, Putnam County, New York, hereby appointed is hereby authorized and empowered to approve plats and maps showing lots, blocks or sites, with or without new streets or highways; and it is further authorized to approve the development of plats or maps entirely or partially undeveloped and which may have been filed in the office of the Clerk of the County of Putnam prior to the appointment of such Planning Board, all in accordance with the procedures outlined in § 179-k of the Village Law of the State of New York³ and other appropriate sections of the Village Law of the State of New York, subject, however, to the requirement that before any such plat or map is approved or disapproved, the Planning Board shall refer its proposed decision to the Village Board of the Village of Cold Spring for its advice and consent with regard thereto. All approvals shall expire one (1) year from date of approval. **[Amended 2-27-01 by L.L. 2001-01]**

§ 21-4. Notice to County Clerk.

The Clerk of the Village of Cold Spring, Putnam County, New York, is directed to forthwith file with the Clerk of the County of Putnam, a certificate showing that the Board of Trustees of the Village of Cold Spring, Putnam County, New York, has authorized the Planning Board to approve plats or maps showing lots, blocks or sites, with or without streets or highways, and has further authorized and empowered said Board to approve the development of plats or maps entirely or partially undeveloped and which may have been filed in the office of the Clerk of the County of Putnam prior to the appointment of such Planning Board, all within the Village of Cold Spring, County of Putnam, New York, pursuant to the provisions of § 179-k of the Village Law of the State of New York and other appropriate sections of the Village Law of the State of New York; and the said Clerk is hereby requested to write to the County Clerk of Putnam County and request such Clerk, pursuant to the provisions of § 179-m of the Village Law of the State of New York⁴ and other appropriate sections of said Village Law, to refuse to file or record in his office any plat or map of a subdivision of land showing lots, blocks or sites, with or without new streets or highways, until said plat or map has been approved by the Planning Board of the Village of Cold Spring, Putnam County, New York.

² Editor's Note: Former § 179-k of the Village Law is now § 7-728.

³ Editor's Note: Former § 179-k of the Village Law is now § 7-728.

⁴ Editor's Note: Former § 179-m of the Village Law is now § 7-732.

§ 21-5. Statutory authority.

The said Planning Board of the Village of Cold Spring, Putnam County, New York, shall undertake its duties and powers in connection with the approval of plats and maps as aforesaid in accordance with the provisions of the Village Law of the State of New York as contained in §§ 179-k, 179-1 and 179-o⁵ and other appropriate sections of the Village Law of the State of New York.

§ 21-6. Exceptions to requirements.

Where the enforcement of the provisions of § 179-o of the Village Law of the State of New York⁶ would entail practical difficulties or unnecessary hardship, or where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways, the said Planning Board of the Village of Cold Spring, Putnam County, New York, hereby appointed, may make suitable and appropriate recommendations to the Village Board of the Village of Cold Spring, and said Village Board may then make reasonable exceptions to or from the requirements as contained in § 179-o of the Village Law and authorize the issuance of the building or construction permit, subject to conditions that will protect any future street or highway layout.

§ 21-7. Referrals to Board.

The Board of Trustees of the Village of Cold Spring may refer any matter or class of matters to the Planning Board of the Village of Cold Spring before final action thereon is taken by the village or any of its officers or public bodies having final authority thereon, and when said Village Board shall decide to refer such matter or matters, final action thereon shall not be taken by the public body or officer having such final authority thereon until said Planning Board has submitted its report to the Village Board or has had a reasonable time, as fixed by the Board of Trustees in said reference, to submit the report.

⁵ Editor's Note: Former §§ 179- k, 179-1 and 179-o of the Village Law are now §§ 7-728, 7-730 and 7-736 respectively.

⁶ Editor's Note: Former § 179-o of the Village Law is now § 7-736.

§ 21-8. Investigations and recommendations.

The Planning Board shall have the full power and authority to make such investigations, maps and reports, and recommendations to the Village Board of the Village of Cold Spring in connection therewith, relating to the planning and development of the village as to said Planning Board seems desirable, provided the total expenditures shall not exceed the appropriation for its expenses.

§ 21-9. Authority of Trustees.

The Village Board of the Village of Cold Spring reserves the right to increase or decrease the powers of the Planning Board as herein outlined as it may from time to time decide by resolution, village ordinance or local village law.